

## OFFICE OF POLICY, PROCEDURES, AND TRAINING

### HASA POLICY BULLETIN #2024-01

# Six-Month 100 Percent Earned Income Disregard for HASA Participants Who Start New Employment

HASA-PB-2024-01
Date: April 26, 2024

Subtopic(s): Earned Income Disregards

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#### **AUDIENCE**

The purpose of this policy bulletin is to inform all HIV/AIDS Services Administration (HASA) staff of the new 6-month 100% earned income disregard (EID) for participants who started a new job on or after December 29, 2023.

#### **BACKGROUND**

CA participants who are seeking employment or training opportunities often face barriers to economic security when even a small increase in income might disqualify them from receiving benefits. New York State created new income disregard provisions designed to support CA participants who start new jobs or participate in employment and training activities by allowing them to earn more income while retaining access to CA and other support services.

Amendments to Section 131-a(8)(a) of the Social Services Law (SSL) now allows Cash Assistance (CA) recipients who start new employment to have all of their earned income from the new job(s) disregarded from budgeting and eligibility determinations for a once-per-lifetime period of up to six consecutive months, provided that the individual's overall income does not exceed 200% of the FPL for their CA household size. The six-month disregard period is intended to help participants strengthen their financial footing by supporting their ability to save more of their earned income and absorb future expenses prior to income based case closure or case rebudgeting resulting in reduced benefits.

Section 131-a(8)(a) of the SSL also established a new disregard on all earned income that a CA participant earns from participation in a qualified work activity or training program, provided the individual's overall income does not exceed 200% of the FPL for their household size. This measure allows more recipients to maintain fiscal stability while learning skills to improve future job prospects and may encourage more training programs to offer financial compensation to participants. Qualified work activities and programs for this exemption are determined by HRA.

#### **POLICY**

The six-month employment exemption only applies to new employment and cannot be applied retroactively to a job that started before December 29, 2023.

The one-time 100% earned income disregard applies only to participants who are already in receipt of (CA) and cannot be used for applicants.

A participant is defined as an individual who:

- 1. Currently in receipt of CA,
- 2. Applied for CA or had someone else apply for CA on their behalf, **and** who has been determined eligible for CA.

The definition of household size for the purpose of applying the 200% Federal Poverty Level (FPL) includes all individuals who are active on the CA case.

Any new job, including multiple new jobs gained during the six consecutive month period, will be eligible for the one-time 100% employment disregard provided that the client's overall total gross income shall not be more than 200% of the FPL for their household size. Once the disregard period is started, the client will be able to keep the disregard even if they move to another district, as long as the client's total gross income does not exceed 200% of the FPL for their household size

The six-month 100% employment income disregard period can **only** be used **consecutively**. If a client leaves their employment during this time, even through no fault of their own, the <u>period</u> <u>will continue to count down</u>. If the client finds a new job while the exemption period is still counting down, their income from that new job would be given the disregard for the remaining sixmonth period, as long as the individual's total gross income does not exceed 200% of the FPL for their household size.

In addition, if the client were to receive a raise in income, more hours, or an additional job or jobs that resulted in the individual's income increasing to over 200% FPL for their household size during the six months, they would no longer be eligible for the 100% disregard, but the period would still continue to count down. Their full earnings would be budgeted using normal CA budgeting procedures once they become ineligible for the 100% disregard.

Normal CA budgeting includes the traditional earned income disregard and standard work deduction.

The six-month 100% disregard period for new employment applies once per lifetime for each household member, not once per household. More than one household member on a case can participate in the disregard and have it applied to their new income at the same time or during overlapping periods. In addition, a household member can receive both the training and work activity income disregard and the one-time 100% employment income disregard at the same time as long as the individual's total gross income does not exceed 200% of the FPL for their household size.

Following the six-month period, regular budgeting of income for purposes of CA eligibility would apply.

This disregard does not apply to Supplemental Nutrition Assistance Program benefits.

# REQUIRED ACTION

# I. Starting the Six-Month 100% Employment Disregard Time Period

The six consecutive months begins with the first monthly or semi-monthly CA budget after the participant submits their first paystub, or other documentation verifying their income from the new job started after December 29, 2023.

The amount of the income excluded for CA due to the one-time 100% employment disregard <u>MUST NOT</u> be excluded as income for the Supplemental Nutrition Assistance Program (SNAP). See the SNAP Implications section below for more information regarding SNAP.

OTDA is working on system enhancements to assist with budgeting, tracking, and notices. The following steps are an interim solution until systems enhancements can be developed.

To help explain how the disregard works, the rules for eligibility and how it would apply in various example scenarios, OTDA developed a One-Time Six Month 100% Earned Income Disregard Information Sheet (**LDSS-5256**).

OTDA has also compiled a question and answer set in **24-LCM-04** Questions and Answers Regarding Implementation of Administrative Directive 23-ADM-10: New Earned Income Disregard Measures Authorized in the 2023-24 State Budget, to clarify questions about the 100% EID.

Caseworkers should review the content of the **24-LCM-04** before meeting with the client and the **LDSS-5256** with the client when they are discussing their budget.

The Case Worker must instruct the client to provide **all** documents for the start date of the job, the hours worked, and the income the client receives from the new job.

Caseworkers are reminded that if a participant reports starting a new job on or after December 29, 2023, the Caseworker **must** have **all** documents before any action will be started on the disregard time period.

Once the Caseworker has all of the client's income documents, they must upload the documents to HASAWeb and the OneViewer.

Next, the Caseworker will <u>email</u> the Financial Review and Recovery Unit (<u>FRRU</u>) – Centralized Unit, to alert the Unit of the client's potential eligibility for the 6-month 100% earned income disregard.

Caseworkers must include the following information in the email:

- 1. Client name.
- 2. Case number,
- 3. Line number,
- 4. Employer name,
- 5. Start date of the new employment,
- 6. Income from the new employment, and
- 7. Type of proof of income submitted by the client (paystubs, letter from employer, etc.)

The Caseworker will then add to the comments section in the client's HASAWeb record that the client reported a new job that they may be eligible for 100% EID. The note must also state that they uploaded all required proof of income and notified FRRU via email on X date (the specific date the email was sent).

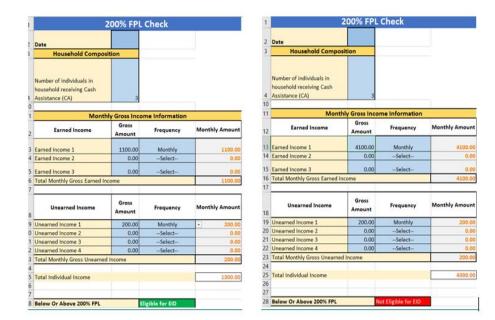
Once FRRU receives the email, they will start the review process to determine if the client is eligible to receive the 6-month 100% earned income disregard and the start and end date of the disregard time period.

### II. Calculating the 200% FPL Threshold

Designated FRRU staff will use the 200% FPL Check (**FIA-1269**) to make a preliminary determination of whether the income from the client's new job(s) and any unearned income meets the FPL income guidelines.

Staff will enter the number of CA household members and all of the **individual's** income in the appropriate section, then select the frequency of the income.

The FIA-1269 automatically calculates the income total and displays 'Eligible for EID' or 'Ineligible for EID' in the Below or Above 200% FPL field as shown in the screenshots on page 6.



FRRU staff should save the calculation made on the **FIA-1269** as a PDF and upload to the One Viewer.

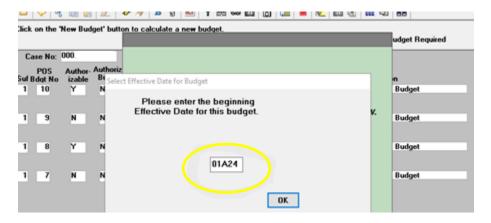
Once the FRRU staff have calculated the client's income, the staff should complete the <a href="HASA 6-Month 100% Earned">HASA 6-Month 100% Earned</a> Income Disregard.

### III. Rebudgeting for 6-month 100% EID Eligible Clients

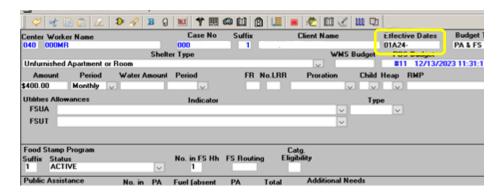
If the client is eligible for the 6-month 100% EID, designated FRRU staff will continue with rebudgeting the income on the semi-monthly CA budget of the client's case/line after receipt of the email from the Caseworker.

FRRU staff will re-budget the case using an expiring 6- month budget so that it goes on the WINR0750 PA/Food Stamp Cases with End of Month Expiring Authorizations Center Report (Attachment A).

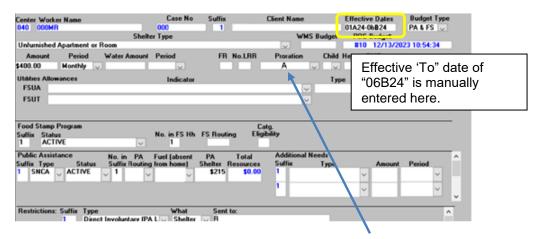
1. If the client is eligible for the EID, FRRU staff will calculate a new budget, and the following screen will first appear with the effective start date automatically filled-in by POS. User must click 'OK' button to continue as shown in the screenshot on page 7.



2. On the next screen, the Budget Household window, the FRRU staff will only see the effective start date as seen in the below screen. The end date will not be there yet.

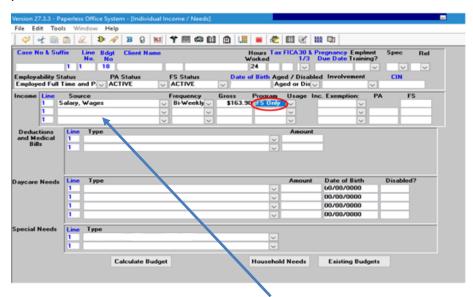


3. The FRRU staff must enter the effective "To" date on the "Effective Dates" field as shown below.

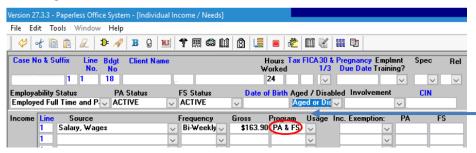


4. Next, staff should enter Proration Indicator 'A' on the NSBL02 (Household/Suffix Financial Data) screen.

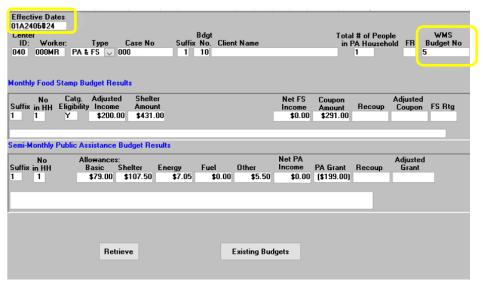
5. Staff should then enter the individual's earned income on the NSBL06 screen using Program Indicator 'F'. This ensures that the income is only counted for SNAP and disregarded for PA. FRRU staff should only enter program indicator 'F' for the new job income that is intended to be used for the 100% EID program. Any other income must be budgeted per current budgeting procedure.



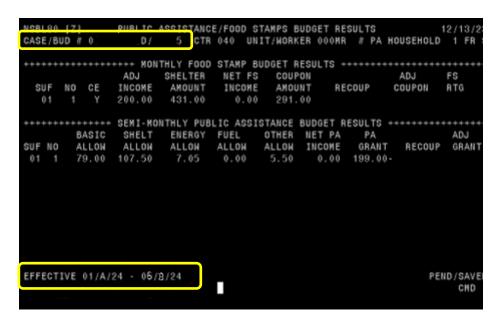
- Staff must use income source code '01 Salary, Wages' for those individuals are eligible for the one-time consecutive six-month EID as shown in the prior screenshot.
- 7. When the client is eligible for the 100% EID, staff should **not** enter the Additional Needs Allowance Code 51 and the field should remain blank.
- 8. If the client is **not** eligible for the EID FRRU staff will create a new budget and enter the earned income associated with the individual on the NSBL06 screen using Program Indicator 'B'. The income is not eligible for the 100% EID and must be counted towards both CA and SNAP.



- Staff should enter the Additional Needs Allowance Code
   for transportation and nutritional drink <u>only</u> when the client is <u>not</u> eligible for the 100% EID.
- 10. Once the budget is saved the FRRU staff will see the start and end effective dates in the POS budget result screen.



11. The saved budget with the start and end effective dates will populate in WMS.



12. The FRRU staff will save and print the budget ("05" and "10" budgets printouts) from WMS and scan and index them into the HRA One Viewer.

- 13. The FRRU staff must make appropriate notes in POS indicating all actions taken on the case.
- 14. FRRU will suppress the automatic CNS notice by placing the "A" in the M3E indicator on the TAD.
- 15. FRRU staff must complete and send one of the following manual notices in the participant's preferred reading language, if available to the client based on the action being taken:
  - a. LDSS-4014A/B-NYC Action Taken on Your Recertification
  - b. LDSS-4015A/B-NYC Notice of Intent to Change Benefits (Timely and Adequate)
  - c. **LDSS-4016A/B-NYC** Notice of Intent to Change Benefit (Adequate Only)
- 16. The LDSS-4014A, LDSS-4015A, and LDSS-4016A have been updated with specific language to advise the client that:

the employment income is EXEMPT for CA budgeting purposes for a one-time period of up to six consecutive months, the client's income is above 200% of the FPL for their household size or the client reached the end of the one-time period, and the income will no longer be exempt.

17. The LDSS-401B-NYC, LDSS-4015B-NYC, and LDSS-4016B-NYC have been updated with specific language that:

the earnings from a new job are not being counted against the Public Assistance benefits. This income is still being counted against your SNAP benefits, therefore your SNAP benefits may go down or might stop.

- 18. Once the budget is completed, staff should issue the client a single-issue payment for the amount of the additional needs allowance (Code 51 Transport and Nutritional Drink Allowance). Staff must use single issuance code 03 Supplementation of Current Month to issue this payment every month during which the client is eligible to receive the allowance and is also receiving the 100% EID.
- FRRU staff will email center staff (including chain of command up to most senior director at the center) of the client's eligibility and any steps going forward.

- 20. FRRU will add the case to the <u>HASA 6-Month 100% EID</u> Tracker.
- 21. The case worker will add a comment in HASAWeb stating the outcome of FRRU's review and that the case will be re-budgeted in six months.

### IV. Failure to Timely Report Income

Clients who fail to timely report income from a new job may still receive the one-time 100% six-month employment disregard. However, the FRRU staff must calculate a CA overpayment for the untimely report as outlined in **PB #11-58-OPE** and shown in the example below.

### Example:

Karen Johnson starts a job and receives their 1st paycheck on May 9th. Karen does not report this to the district until June 15th. The district calculates an overpayment for May and June based on actual May and June income. When calculating the overpayment, the district determines the amount of overpayment without application of the work income disregard and the earned income disregard deductions for May and June. Karen can receive the one-time 100% six-month employment disregard beginning July.

**Note**: If there is a TALX match during **recertification**, then FFRU would give the 6 month 100% EID to the client, if the client is otherwise eligible. If the TALX match is not related to a recertification, then the client cannot receive the EID and the FRRU staff should continue the recoupment as per current procedure.

# V. 100% EID Tracking and 6-month Expiration Budget Review

NYC is required to maintain records of all clients receiving the 6-month 100% EID.

When a CA client moves to NYC from another district within New York State, Caseworkers are required to investigate whether the CA client was in receipt of the one-time 100% employment income disregard in the other district. Once the Caseworker determines that the client was in receipt of the disregard in another district and there is still time remaining in the disregard period, the Caseworker must <a href="mailto:emai

FRRU designated staff will be responsible for determining how much of the six-month period has already elapsed, tracking for the time that remains and budgeting accordingly for that time. Cases from other jurisdictions with time remaining on the 6-month period will also appear on the **WINR0750** (Attachment A).

If a client already used the <u>entire</u> six-month 100% disregard in another district at any point in their lifetime, they are not eligible to receive it again in New Yok City.

Designated FRRU staff will be responsible for maintaining HASA 6-Month 100% EID Tracker for all clients who are eligible for and receive the 6-month 100% EID.

FRRU will be responsible for the rebudgeting the case after the 6-month exclusion is over. FRRU staff will review and re-budget during the B cycle of the sixth month of the disregard, so the new budget takes effect in the A cycle of the seventh month.

FRRU Staff <u>must</u> remember to <u>change</u> the program indicator from *F* to *B* to ensure that the income is now budgeted for both CA and SNAP.

FRRU staff must also remember to enter the **Additional Needs Allowance Code 51** on the budget so that the client continues to receive the allowance. Once the **Code 51** is put back on the budget, staff should no longer issue the single issuance code **03 – Supplementation of Current Month**.

LIMITED ENGLISH PROFICIENT (LEP) AND DEAF/HARD-OF-HEARING IMPLICATIONS For Limited English Proficient (LEP) and hearing-impaired applicants and participants, staff must make sure to obtain appropriate interpreter services in accordance with <a href="https://example.com/hep-#1807-04-R">HPP #1807-04-R</a> and <a href="https://example.com/hep-#1807-04-R">PD #17-19-OPE</a>.

# FAIR HEARING IMPLICATIONS

Ensure that all case actions are processed in accordance with current procedures and that electronic case files are kept up to date.

### Avoidance/ Resolution

Remember that the applicant/participant must receive either adequate or timely and adequate notification of all actions taken, depending upon the circumstances of their case.

#### Conferences

An applicant/participant can request and receive a conference with a PAAI/Supervisor I at any time. If an applicant/participant comes to the HASA Center requesting a conference, the Receptionist must alert the PAAI/Supervisor I that the applicant/participant is waiting to be seen. In Model Centers, the Receptionist will issue a ticket to the applicant/participant to route them to the PAAI/Supervisor I.

The PAAI/Supervisor I will listen to and evaluate any material presented by the applicant/participant, review the case file, and discuss the issue(s) with the Worker responsible for the case and/or the Worker's Supervisor. The PAAI/Supervisor I will explain the reason for the Agency's action(s) to the applicant/participant.

If the determination is that the applicant/participant has presented proof or evidence that the outstanding Notice of Intent needs to be withdrawn, the PAAI/Supervisor I will Settle In Conference (SIC), enter detailed case notes in POS/HASAWeb and forward all verifying documentation submitted by the applicant/participant to the appropriate Worker for corrective action to be taken.

In addition, if the adverse case action still shows on the "Pending" (08) screen in WMS, the PAAI/Supervisor I must prepare and submit a Fair Hearing/Case Update Data Entry Form (LDSS-3722), change the 02 to an 01 if the case has been granted aid to continue (ATC), or prepare and submit a PA Recoupment Data Entry Form (LDSS-3573) to delete a recoupment. The PAAI/Supervisor I must complete a Conference Report (M-186a).

If the determination is that the applicant has not shown good cause for the infraction or that the Agency's action(s) should stand then the PAAI/Supervisor I will explain to the applicant why he/she cannot SIC. The PAAI/Supervisor I must complete a Conference Report.

### **Evidence Packets**

All Evidence Packets must contain a detailed History, copies of relevant WMS screen printouts, and other documentation relevant to the action taken, when applicable.

### CASH ASSISTANCE IMPLICATIONS

As directed in the procedure until permanent budgeting and tracking are implemented.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) IMPLICATIONS The income disregard provisions outlined in this policy bulletin do not apply to the SNAP portion of a CA/SNAP case or to non-cash assistance (NCA) SNAP cases. Therefore, all countable gross income must be determined and included in the SNAP budgeting process. SNAP households will continue to receive a 20% Earned Income Disregard from their gross earned income, which is intended to compensate for work-related expenses, union dues, taxes, transportation, and other expenses. The CA grant, and increased income from either the one-time 100% employment income disregard or training income disregard, must both be counted in full in the SNAP budget and, in some cases, may cause the SNAP portion of the case to close due to excess income.

Households where all members are in receipt of either Supplemental Security Income (SSI) or TANF-funded CA benefits are categorically eligible for SNAP and are not subject to a resource or Net Income Test for SNAP, having already passed these tests for receipt of CA. Households of one or two people who meet the categorical eligibility standards are automatically eligible for the minimum SNAP benefit for a household of one or two. There is no such standard for households of more than two individuals, and so the benefit calculation for a household of more than two people can yield a benefit of \$0. This is why it is possible to be "categorically eligible" for \$0 in SNAP benefits (and therefore ineligible for SNAP).

For CA/SNAP cases staff must put a **T** in the M3E indicator field for the SNAP budgeting if it has to close and clock down for excess income.

<b>RELATED ITEMS</b>	24-LCM-04
	ZT-LUIVI-UT

23-ADM-10 01-ADM-13 11-ADM-02

HPP #1807-04-R Serving Limited English Proficient (LEP)

Individuals

Revisions to Servicing Deaf and Hard-of PD #17-19-OPE

Hearing Applicants and Participants

Revisions to the Recoupment PB #11-58-OPE

Overpayment Worksheet (FIA-1040) and

Recoupment Action History Sheet

(FIA-1004a)

#### WINR0750 PA/FS Cases with End of **ATTACHMENTS** Attachment A

Month Expiring Authorizations Center

Report

200% Federal Poverty Level (FPL) Check **FIA-1269** 

> For Earned Income Disregard (EID) One-Time Six Month 100% Earned

LDSS-5256 Income Disregard Information Sheet LDSS-4014A-NYC

Action Taken on Your Recertification -

Part A

Action Taken on Your Recertification -LDSS-4014B-NYC

Part B

LDSS-4015A-NYC Notice of Intent to Change Benefits – Part

A (Timely and Adequate)

Notice of Intent to Change Benefits – Part LDSS-4015B-NYC

B (Timely and Adequate)

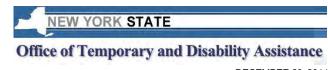
Notice of Intent to Change Benefits – Part LDSS-4016A-NYC

A (Adequate Only)

Notice of Intent to Change Benefits – Part LDSS-4016B-NYC

B (Adequate Only)

# WELFARE MANAGEMENT SYSTEM NEW YORK CITY REPORTS MANUAL WINR0750 – PA/FS CASES WITH END OF MONTH EXPIRING AUTHORIZATIONS CENTER REPORT



**DECEMBER 29, 2014** 

### WINR0750 - PA/FS CASES WITH END OF MONTH EXPIRING AUTHORIZATIONS CENTER REPORT



REPORT-DATE 10/04/2008	NEW YORK CITY HUMAN RESOURCES ADMINISTRATION	PAGE 6		
PA/F EXPIRING AUTHORIZATION DATE 10/31/2008	FS CASES WITH END OF MONTH EXPIRING AUTHORIZATIONS  CENTER REPORT  WMS REPORT WINR0750	********************************  * THIS REPORT CONTAINS *  * CONFIDENTIAL INFORMATION		
CENTER 099 3 UNIT/WORKER 00602 4 6	7	* FOR INTERNAL USE ONLY * ******************		
CASE NAME CASE TYPE	CASE NOSFX			
CXXXXX JEANETTE HR  TOTAL FOR WORKER IS 1	002451178E-01 8			
	<< report edited for formatting >>			
TOTAL FOR LOCAL OFFICE IS	6 9			
REPORT ENDED				

WINR0750 Report Sample - Center Report

### **WELFARE MANAGEMENT SYSTEM NEW YORK CITY REPORTS MANUAL** WINR0750 - PA/FS CASES WITH END OF MONTH EXPIRING AUTHORIZATIONS **CENTER REPORT**



**DECEMBER 29, 2014** 

### WINR0750 - PA/FS CASES WITH END OF MONTH EXPIRING AUTHORIZATIONS CENTER REPORT

REPORT TITLE		REPORT NUMBER	FILE NAME	
PA/FS Cases with End of Mon	th Expiring Authorizations Center Report	WINR0750	PRD080P50***	
			*** = PA Center Code	
PURPOSE – NOTES				
This report lists the PA/FS cas	es for a center with authorizations that are due	to expire at the end of the report mor	nth.	
SOURCE	REFERENCE	AUDIENCE / GENERAL DISTRIBUTION		
RunID = PRD080		PA Centers staff via DEPCON	PA Centers staff via DEPCON (center-specific report)	
SEQUENCE		BREAKS	BREAKS	
Center/UnitWorker/Case Name		DILARO		
FREQUENCY / SCHEDULE			RETENTION	
Monthly		30 Days	30 Days	
REPORT ITEM		DEFINITION (IF NEEDED)		
1. Standard WMS Headings		-		
2. Expiring Authorization Date		Date when authorizations for cases are due to expire.		
3. Center		PA Center number responsible	PA Center number responsible for the case.	
4. Unit/Worker		Worker ID responsible for the o	Worker ID responsible for the case.	
5. Case Name		Name of payee of the case.	·	
6. Case Type		Case category code		
7. Case NoSfx		Number that uniquely identifies the case / Number identifying the unit of		
		assistance that received benef	its.	
8. Total for Worker is		Total number of cases expiring	Total number of cases expiring for this worker	
9. Total for Local Office is		Total number of cases expiring	Total number of cases expiring for this center	